

Remarks

The indicated allowability of claims 15, 16, 18-21, 23 and 24. Some of these claims have been rewritten in independent form while others have been left in dependent form and amended in view of amendments made to its base claim. As will become apparent from the following discussion, all of the claims are now believed to be allowable.

Claims 2-7, 9-12, 17 and 22 have been rejected with primary reliance being had on Acker et al. U.S. Patent No. 6,128,522 (hereinafter "Acker"). Although issue is taken with the art rejections, claim 3 has been amended to include the limitation of claim 2 (now cancelled) and claim 9 has been amended to include a limitation appearing in a claim depending therefrom. This is being done to advance the prosecution of this application, given that Acker and the other applied references clearly neither disclose nor suggest the subject matter of claims 3 and 9 as amended. Moreover, the amendments are not believed to introduce a new issue not already considered by the Examiner, and thus entry of the amendments should be permitted.

According to amended claim 3, an apparatus for positioning at least one medical treatment device or treatment supporting device comprises a transportation means to move the device to a predetermined position. The transportation means includes a movable vehicle on which said device is positioned and an automatically guided transport system that comprises at least one of four specified navigation systems.

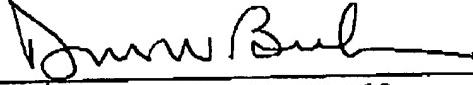
Akers does not disclose or suggest a transportation means for moving a device to a predetermined position by use of an automatic guided transport system and that includes a movable vehicle on which the device is positioned. Akers does disclose a base 25 supported by casters 27, but the base is not automatically guided. Instead, the base is manually positioned, and a positioning system 23 carried on the base provides for precise alignment of the mobile unit 10.

For at least the foregoing reason, the rejection of claim 3 and the claims which depend therefrom should be withdrawn. In addition, for similar reasons, the rejection of claim 9 and the claims which depend therefrom should be withdrawn. Regarding the secondary reference, i.e., Lemelson U.S. Patent No. 5,865,744, this reference does not overcome the fundamental deficiency of Acker as a teaching reference vis-a-vis claims 3 and 9. Lemelson has nothing to do with automatically guiding a movable vehicle that carries a medical treatment or treatment supporting device.

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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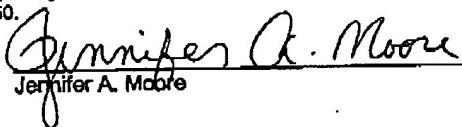
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Jennifer A. Moore